

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2004-61-C - ORDER NO. 2004-250  
MAY 12, 2004

IN RE: Joint Application of Daniel Island Media	) ORDER APPROVING
Company, LLC and Home Telecom, LLC to	) TRANSFER OF
Approve the Transfer of Assets and	) ASSETS AND
Transfer/Issuance of Certificate of Public	) CERTIFICATE OF
Convenience and Necessity to Home Telecom,	) PUBLIC
LLC and for Flexible and Alternative Regulation.	) CONVENIENCE AND
	) NECESSITY

This matter comes before the Public Service Commission of South Carolina (“Commission”) upon the Joint Application of Daniel Island Media Company, LLC (“Daniel Island”) and Home Telecom, LLC (“Home Telecom”) (together, the “Joint Applicants”), for approval (i) to transfer and assign certain of Daniel Island’s South Carolina telecommunications assets (operating assets), including its customer base, to Home Telecom; (ii) to grant to Home Telecom the authority to operate as a Competitive Local Exchange Carrier (“CLEC”) and an Interexchange Telecommunications Carrier (“IXC”) and to transfer Daniel Island’s Certificate of Public Convenience and Necessity (“CPCN”) issued by the Commission to provide long distance services and local exchange services in South Carolina to Home Telecom; and (iii) for Daniel Island to cease operations as a CLEC and as an IXC and abandon such services within the State of South Carolina, effective with the consummation of this transaction and Commission approval. Home Telecom also seeks alternative regulation of its activities in South

Carolina as granted other IXCs by previous Commission orders (see Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C) and flexible regulation of its activities as granted by the Commission to other CLECs in accordance with Order No. 98-165 in Docket No. 97-467-C.

By letter, the Commission's Executive Director instructed the Joint Applicants to publish, one time, a prepared Notice of Filing and Hearing in newspapers of general circulation in the areas affected by the Joint Application. The purpose of the Notice of Filing and Hearing was to inform interested parties of the manner and time in which to file the appropriate pleadings for participation in the proceedings. Joint Applicants complied with this instruction and provided the Commission with proof of publication of the Notice of Filing and Hearing. No Petitions to Intervene or letters of protest were received concerning the Joint Application. Therefore, no parties are challenging the Application.

On April 27, 2004, Joint Applicants filed a Motion for Expedited Review by which they seek to have the Joint Application reviewed and approved without the necessity of a hearing. By filing the Motion for Expedited Review, the Joint Applicants waive their rights to a formal hearing. Along with the Motion for Expedited Review, Joint Applicants filed the verified testimony of William S. Helmly, Executive Vice President of Home Telephone Company.

If the Joint Application is approved, Daniel Island will cease providing telecommunications service in South Carolina, and Home Telecom will simultaneously begin providing telecommunications services to Daniel Island's customers. Home Telecom is a wholly-owned subsidiary of Home Telephone Company, Inc., which has operated as a

telephone company providing telecommunications services in South Carolina since 1939. The Commission is familiar with the operations and standing of Home Telephone Company, Home Telecom's parent company. Therefore, the Commission finds good cause to waive the formal hearing in this matter and to proceed with disposition of the Joint Application on the record consisting of the Application and Mr. Helmly's verified testimony. The Commission heard and decided the matter at its regularly scheduled public agenda session on May 4, 2004.

By their Joint Application and the verified testimony of Mr. Helmly, the Joint Applicants seek approval to transfer and assign certain of Daniel Island's South Carolina telecommunications assets, including its customer base, to Home Telecom; authority for Home Telecom to operate as a CLEC and as an IXC and to transfer Daniel Island's certificates to Home Telecom; and authority for Daniel Island to cease operations as a CLEC and as an IXC and to abandon such services within the State of South Carolina, effective with the consummation of this transaction and Commission approval. Home Telecom also seeks alternative regulation of its IXC activities in South Carolina and flexible regulation of its CLEC activities, as granted by the Commission to other carriers in prior orders.

Mr. Helmly testified that the Joint Application was filed as a result of the execution of an Asset Purchase Agreement (the "Agreement") by and between Daniel Island and Home Telecom, dated as of February 27, 2004, pursuant to which Home Telecom will acquire all of the operating assets of Daniel Island. Mr. Helmly described the parties, the proposed transaction, and the authority requested. According to Mr.

Helmly, Home Telecom proposes to acquire all of the operating assets of Daniel Island associated with Daniel Island's telecommunications operations in South Carolina including telecommunications equipment, Daniel Island's South Carolina customer base, and the Commission authorization of those operations.

Mr. Helmly testified that approval of the transaction would be in the public interest. Specifically, Home Telecom has determined that the proposed acquisition of Daniel Island's assets will enable it to provide an array of high quality services to consumers in South Carolina, will not involve a change in the manner in which Daniel Island customers will receive their telecommunications services, and the transfer will be virtually seamless to customers because Home Telecom will adopt the terms and conditions of Daniel Island's tariffs.

Mr. Helmly testified that with the transfer of operating assets described in the Joint Application, Daniel Island will cease to provide telecommunications services (local and interexchange), effective upon the consummation of the transaction and Commission approval. Simultaneous with Daniel Island's cessation of service, Home Telecom will begin providing services to all former Daniel Island customers pursuant to Home Telecom's adoption of Daniel Island's tariffs on file with the Commission. Customers will not experience any interruption in their service due to this transaction.

Mr. Helmly testified that Home Telecom possesses the technical and managerial resources to provide the services for which it requests authority. Home Telecom is a wholly-owned subsidiary of Home Telephone Company, Inc. As its parent and sole shareholder, Home Telephone Company, Inc. will, through its directors and officers,

manage Home Telecom. The directors and officers of Home Telephone Company, Inc. have extensive experience in the telecommunications industry, including a substantial base of operational, technical, and financial experience as it relates to operating local exchange companies and other telecommunications operations in South Carolina.

As to financial resources, Mr. Helmly testified that Home Telecom has the assurance of its parent, Home Telephone Company, that it will be provided with the financial resources necessary to provide telecommunications services. As shown in Home Telephone Company's consolidated financial statements that were attached to the Joint Application, Home Telephone Company and its subsidiaries are financially sound.

Mr. Helmly testified further that Home Telecom will meet all service standards that the Commission may adopt, and that the provision of the service will not adversely impact the availability of affordable local exchange service in South Carolina. He further testified that Home Telecom will actively participate in the support of universally available telecommunications services at affordable rates, and that approval of the application will enhance competition in the State of South Carolina because Home Telecom will offer additional service offerings and high quality service to South Carolina telecommunications consumers.

Mr. Helmly also testified that it would be appropriate for the Commission to grant Home Telecom a waiver of the requirements of Rule 103-631 to publish and distribute local exchange directories because Home Telecom will enter into an agreement with BellSouth to include the names of its customers in BellSouth's directories. Home Telecom also requests that it be permitted to maintain its records in accordance with

Generally Accepted Accounting Principles (“GAAP”) rather than in conformance with the Uniform System of Accounts (“USOA”) because Home Telecom will not be subject to rate base regulation.

Finally, Mr. Helmly testified that Home Telecom was seeking alternative regulation of its activities in South Carolina as granted other IXCs by previous Commission orders (see Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C) and flexible regulation of its activities as granted by the Commission to other CLECs in accordance with Order No. 98-165 in Docket No. 97-467-C.

### **FINDINGS OF FACT**

1. Daniel Island is a limited liability company duly organized and existing under the laws of the State of South Carolina with its principal place of business located at 224 Seven Farms Drive, Suite 100, Charleston, SC, 29492. Daniel Island was authorized to provide resold and facilities-based local exchange and intrastate interexchange telecommunications services in South Carolina by Order No. 2001-190 issued by the Commission in Docket No. 2000-561-C on February 28, 2001.

2. Home Telecom is a limited liability company duly organized and existing under the laws of the State of South Carolina with its principal business office located at 579 Stoney Landing Road, Monks Corner, South Carolina 29461. Home Telecom is a wholly-owned subsidiary of Home Telephone Company, Inc. (“Home Telephone”). Home Telecom is a newly-formed entity that has been established for the purpose of completing the acquisition described in the Joint Application and providing telecommunications services.

3. The Commission finds that expeditious approval of this Application will allow Home Telecom promptly to assume responsibility for the service of Daniel Island's existing customer base without interruption of service or other inconvenience to South Carolina consumers.

4. Home Telecom is a newly-formed entity that has been established for the purpose of completing the acquisition discussed in this Application and providing telecommunications services. Home Telecom is a wholly-owned subsidiary of Home Telephone, and has the assurance of its parent that it will be provided with the financial resources necessary to provide telecommunications services.

5. The Commission finds that, as demonstrated in the Joint Application and in the verified testimony of William S. Helmly, Home Telecom is led by a highly qualified team of management personnel who have the requisite technical and managerial experience to provide telecommunications services in the State of South Carolina.

6. The Commission finds that the proposed acquisition of Daniel Island's telecommunications assets will enable Home Telecom to provide an array of high quality services to consumers in South Carolina. Although the proposed acquisition will result in a transfer of substantially all of Daniel Island's assets to Home Telecom, the Agreement will not involve a change in the manner in which Daniel Island customers will receive their telecommunications services, and the transfer will be virtually seamless to customers. Specifically, customers will continue to receive the high quality, affordable telecommunications services that they presently receive.

7. Home Telecom will adopt the terms and conditions of Daniel Island's existing tariffs, thus providing a seamless transition for existing customers of Daniel Island. As a result, the proposed acquisition will be virtually transparent to Daniel Island's customers because the rates, terms, and conditions of Home Telecom's services will be identical to those of Daniel Island.

8. The Commission finds that Daniel Island's cessation of telecommunications services (local and interexchange) upon the transfer of operating assets to Home Telecom will not affect Daniel Island's customers because Home Telecom will simultaneously begin providing services to those customers upon the same rates, terms, and conditions as those contained in Daniel Island's existing tariffs. Customers will not experience any interruption in their service due to this transaction.

9. The Commission finds that a waiver of the requirements of Rule 103-631 to publish and distribute local exchange directories is appropriate. Home Telecom has testified it will enter into an agreement with BellSouth to include the names of its customers in BellSouth's directories.

10. The Commission finds that a waiver of any record keeping policies that might require Home Telecom to maintain its financial records in conformance with the Uniform System of Accounts ("USOA") is appropriate because, as a competitive carrier, Home Telecom will not be subject to rate base regulation. We grant Home Telecom's request that it be permitted to maintain its books in accordance with Generally Accepted Accounting Principles ("GAAP").



### **CONCLUSIONS OF LAW**

1. The Commission concludes that Home Telecom possesses the managerial, technical, and financial resources to provide the telecommunications services as described in the Joint Application.

2. The Commission concludes that Home Telecom's provision of service will not adversely impact the availability of affordable local exchange service.

3. The Commission concludes that Home Telecom will participate in the support of universally available telephone service at affordable rates to the extent that Home Telecom may be required to do so by the Commission.

4. The Commission concludes that Home Telecom will provide services which will meet the service standards of the Commission.

5. The Commission concludes that approval of the Joint Application will serve the public interest, in that the proposed acquisition of Daniel Island's assets will enable Home Telecom to provide an array of high quality services to consumers in South Carolina. The proposed transaction will not involve a change in the manner in which Daniel Island customers will receive their telecommunications services, and the transfer will be virtually seamless to customers. Specifically, customers will continue to receive the high quality, affordable telecommunications services that they presently receive. Home Telecom will adopt the terms and conditions of Daniel Island's existing tariffs, thus providing a seamless transition for existing customers of Daniel Island. As a result, the proposed acquisition will be virtually transparent to Daniel Island's customers because the rates, terms, and conditions of Home Telecom's services will be identical to

those of Daniel Island. Moreover, once the transaction is complete, Daniel Island customers will receive service from Home Telecom's team of well-qualified telecommunications managers.

6. The Commission concludes that customers will not experience any interruption in their service due to this transaction and, therefore, it is appropriate to permit Daniel Island to cease providing interexchange and local telecommunications services in South Carolina.

7. The Commission concludes that granting the Joint Application will not otherwise adversely impact the public interest.

8. The Commission concludes that the transfer of Daniel Island's telecommunications assets, including its customer base, to Home Telecom, as described in the Joint Application, is appropriate and in the public interest and should be approved.

9. The Commission concludes that Home Telecom should be granted a Certificate of Public Convenience and Necessity to operate as an interexchange carrier in South Carolina.

10. The Commission concludes that Home Telecom should be granted a Certificate of Public Convenience and Necessity to operate as a competitive local exchange carrier in South Carolina.

11. The Commission concludes that Daniel Island should be granted authority to cease operations as a CLEC and as an IXC and to abandon such services within the State of South Carolina, effective with the consummation of this transaction and Commission approval.

12. Based upon the testimony of Mr. Helmly that Home Telecom will contract with BellSouth to include the numbers of Home Telecom's customers in BellSouth's local directory, the Commission concludes that the requirements of Rule 103-631 to publish and distribute local exchange directories should be waived for Home Telecom.

13. The Commission concludes that any record keeping policies that might require Home Telecom to maintain its financial records in conformance with the Uniform System of Accounts ("USOA") should be waived, and that Home Telecom should be permitted to maintain its books in accordance with Generally Accepted Accounting Principles ("GAAP").

14. The Commission concludes that Home Telecom's interexchange services shall be regulated in accordance with the principles and procedures established for alternative regulation of business service offerings set out in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C. The Commission has previously granted this "alternative regulation" to competitive intrastate interexchange carriers operating within South Carolina, and the Commission concludes that the competitive marketplace requires the Commission to allow this flexible regulation to those carriers which request it. Specifically, the Commission-approved alternative regulation allows business service offerings, including consumer card services and operator services, to be subject to a relaxed regulatory scheme identical to that granted to AT&T Communications in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C. However, pursuant to Order No. 2001-997 (Docket No. 2000-407-C), this Commission has modified alternative regulation by the re-imposition of rate caps with regard to certain "operator-assisted calls" where a

customer uses a local exchange carrier's calling card to complete calls from locations which have not selected that local exchange carrier as the toll provider. Order No. 2001-997, dated November 8, 2001, imposed a maximum cap of \$1.75 for operator surcharges for such calls, and a maximum cap of \$0.35 related to the flat per-minute rate associated with these calls. Under this relaxed regulatory scheme, tariff filings for business services shall be presumed valid upon filing. The Commission will have seven (7) days in which to institute an investigation of any tariff filing. If the Commission institutes an investigation of a particular filing within the seven days, the tariff filing will then be suspended until further Order of the Commission.

15. The Commission concludes that Home Telecom's local exchange telecommunications services shall be regulated in accordance with the principles and procedures established for flexible regulation first granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C. The Commission has previously granted this "flexible regulation" to competitive local exchange carriers operating within South Carolina, and the Commission concludes that the competitive marketplace requires for the Commission to allow this flexible regulation to those carriers which request it. Specifically under flexible regulation, the Commission adopts for Home Telecom's competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels that will have been previously approved by the Commission. Further, Home Telecom's local exchange service tariff filings are presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing,

in which case the tariff filing would be suspended pending further Order of the Commission. Further, any such tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED THAT:

1. A Certificate of Public Convenience and Necessity, as previously granted to Daniel Island, is transferred and granted to Home Telecom to provide competitive intrastate local exchange telecommunications services, including local exchange, exchange access service, and ancillary services, within the State of South Carolina.

2. A Certificate of Public Convenience and Necessity, as previously granted to Daniel Island, is transferred and granted to Home Telecom to provide interexchange telecommunications services within the State of South Carolina.

3. Daniel Island is authorized to cease operations as a CLEC and as an IXC and to abandon such services within the State of South Carolina, effective with the consummation of the transaction to transfer its telecommunications assets to Home Telecom, and Commission approval.

4. Home Telecom's local exchange telecommunications services shall be regulated in accordance with the principles and procedures established for flexible regulation first granted to NewSouth Communications by Order No. 98-165 in Docket No. 97-467-C. Specifically, the Commission adopts for Home Telecom's competitive intrastate local exchange services a rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels that will have been previously approved by the Commission. Further, Home Telecom's local exchange

service tariff filings are presumed valid upon filing, subject to the Commission's right within thirty (30) days to institute an investigation of the tariff filing, in which case the tariff filing would be suspended pending further Order of the Commission. Further, any such tariff filings will be subject to the same monitoring process as similarly situated competitive local exchange carriers.

5. Home Telecom's interexchange business telecommunications services shall be regulated in accordance with the principles and procedures established for alternative regulation of business service offerings set out in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C. Under the Commission approved alternative regulation, the business service offerings of Home Telecom, including consumer card services and operator services, are subject to a relaxed regulatory scheme identical to that granted to AT&T Communications in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C. However, pursuant to Order No. 2001-997 (Docket No. 2000-407-C), this Commission has modified alternative regulation by the re-imposition of rate caps with regard to certain "operator-assisted calls" where a customer uses a local exchange carrier's calling card to complete calls from locations which have not selected that local exchange carrier as the toll provider. Order No. 2001-997, dated November 8, 2001, imposed a maximum cap of \$1.75 for operator surcharges for such calls, and a maximum cap of \$0.35 related to the flat per-minute rate associated with these calls. Under this relaxed regulatory scheme, tariff filings for business services shall be presumed valid upon filing. The Commission will have seven (7) days in which to institute an investigation of any tariff filing. If the Commission institutes an investigation of a particular tariff filing within the

seven days, the tariff filing will then be suspended until further Order of the Commission. Any relaxation in the future reporting requirements that may be adopted for companies operating under this modified alternative regulation shall apply to Home Telecom also.

With regard to the interexchange residential service offerings of Home Telecom, the Commission adopts a rate design which includes only maximum rate levels for each tariff charge. A rate structure incorporating maximum rate levels has been previously adopted by the Commission. In Re: Application of GTE Sprint Communications Corporation, etc., Order No. 84-622, issued in Docket No. 84-10-C (August 2, 1984).

Home Telecom shall not adjust its interexchange residential rates below the approved maximum level without notice to the Commission and to the public. Home Telecom shall file its proposed rate changes, publish its notice of such changes, and file affidavits of publication with the Commission two weeks prior to the effective date of the changes. However, the public notice requirement is waived, and therefore not required, for reductions below the maximum cap in instances which do not affect the general body of subscribers or do not constitute a general rate reduction. In Re: Application of GTE Sprint Communications, etc., Order No. 93-638, issued in Docket No. 84-10-C (July 16, 1993). Any proposed increase in the maximum rate level for interexchange residential services reflected in the tariff which would be applicable to the general body of the Company's subscribers shall constitute a general ratemaking proceeding and will be treated in accordance with the notice and hearing provisions of S.C. Code Ann. §58-9-540 (Supp. 2003).

6. Home Telecom initially will adopt Daniel Island's existing tariffs for interexchange and local exchange telecommunications service in South Carolina.

7. Home Telecom shall, in compliance with the Commission's regulations, designate and maintain an authorized utility representative who is prepared to discuss, on a regulatory level, customer relations (complaint) matters, engineering operations, tests and repairs. In addition, Home Telecom shall provide to the Commission in writing the name of the authorized representative to be contacted in connection with general management duties as well as emergencies which occur during non-office hours. Home Telecom shall file the names, addresses and telephone numbers of these representatives with the Commission within thirty (30) days of receipt of this Order. Home Telecom shall utilize the "Authorized Utility Representative Information" form which can be located at the Commission's website at [www.psc.state.sc.us/reference/forms.asp](http://www.psc.state.sc.us/reference/forms.asp) to file the names of these representatives with the Commission. Further, Home Telecom shall promptly notify the Commission in writing if the representatives are replaced.

8. Home Telecom shall conduct its business in accordance with the Commission's decisions and Orders, both past and future, including but not limited to, any Commission decisions which may be rendered in Docket No. 96-018-C regarding local competition.

9. Title 23, Chapter 47, South Carolina Code of Laws Ann., governs the establishment and implementation of a "Public Safety Communications Center," which is more commonly known as a "911 system" or "911 service." Services available through a 911 system include law enforcement, fire, and emergency medical services. In



recognition of the necessity of quality 911 services being provided to the citizens of South Carolina, the Commission hereby instructs Home Telecom to contact the appropriate authorities regarding 911 service in the counties and cities where Home Telecom will be operating to ensure that service is not interrupted as a result of the transition from Daniel Island to Home Telecom.

10. Home Telecom is directed to comply with all Rules and Regulations of the Commission, unless a regulation is specifically waived by the Commission.

11. Home Telecom shall file annual financial information in the form of annual reports and gross receipts as required by the Commission. The annual reports and the gross receipts reports will necessitate the filing of intrastate information. Therefore, Home Telecom shall keep financial records on an intrastate basis for South Carolina in order to comply with the Commission's reporting requirements. The proper forms for filing annual financial information for the annual reports may be found on the Commission's website at [www.psc.state.sc.us/reference/forms/asp](http://www.psc.state.sc.us/reference/forms/asp). The titles of the forms are "Annual Report for CLECs" and "Annual Report for IXCs." Home Telecom shall file the annual reports with the Commission by **April 1<sup>st</sup>** of each year.

Commission gross receipts forms are due to be filed with the Commission no later than **August 31<sup>st</sup>** of each year. The appropriate form for remitting information for gross receipts is entitled "Gross Receipts Form for Utility Companies" and may also be found on the Commission's website at [www.psc.state.sc.us/reference/forms/asp](http://www.psc.state.sc.us/reference/forms/asp).

Additionally, pursuant to the Commission's regulations, Home Telecom shall file a "CLEC Service Quality Quarterly Report" with the Commission. The proper form for

this report may be found on the Commission's website at [www.psc.state.sc.us/reference/forms/asp](http://www.psc.state.sc.us/reference/forms/asp). These "CLEC Service Quality Quarterly Reports" are required to be filed within 30 days of the end of each calendar quarter.

12. Annually, Home Telecom shall file the "South Carolina Universal Service Fund Contribution Worksheet" as required by the Commission. Such filing is presently due by **August 15<sup>th</sup>**, regardless of whether a company reports its operations on a calendar year or fiscal year.

13. The Federal Communications Commission (FCC) in July of 2000 required all telecommunications carriers throughout the United States to implement three-digit, 711, dialing for access to all Telecommunications Relay Services (TRS). The Commission issued a memorandum in March of 2001 instructing all South Carolina telecommunications carriers to implement the service completely by October of 2001. All competitive local exchange carriers (CLECs) and incumbent local exchange carriers (ILECs) were instructed to include language in their tariffs introducing 711 as a new service offering with deployment by July 1, 2002, and to translate 711 dialed calls to 1-800-735-2905. All Payphone Service Providers (PSPs) were instructed to modify their programmable phones to translate calls dialed as 711 to their assigned TRS toll free number 1-800-735-2905 in order to route 711 calls to the TRS provider before October 1, 2001. Additionally, telephone directories were required to be updated and bill inserts promoting 711 were also required. Home Telecom must comply with the applicable mandates. For complete information on compliance with this FCC and Commission requirement, go to the Commission's website at [www.psc.state.sc.us/reference/forms/asp](http://www.psc.state.sc.us/reference/forms/asp).

14. In its provision of telecommunications services to the public, Home Telecom shall utilize its own facilities or, if Home Telecom utilizes services or facilities of other companies through resale, lease, or other means, Home Telecom shall utilize the facilities or services of only companies authorized to provide telecommunications services in South Carolina by this Commission.

15. For good cause shown, Home Telecom is granted a waiver of any record keeping policies that might require Home Telecom to maintain its financial records in conformance with the Uniform System of Accounts ("USOA") and Home Telecom should be permitted to maintain its books in accordance with Generally Accepted Accounting Principles ("GAAP").

16. For good cause shown, Home Telecom is granted a waiver of the requirements that the Company publish and distribute a directory under 26 S.C. Code Ann. Regs. 103-631. Home Telecom is ordered to contact the incumbent ILEC to ensure that Home Telecom's customers are included in the applicable directory.

17. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/  
Mignon L. Clyburn, Chairman

ATTEST:

/s/  
Bruce F. Duke, Executive Director

(SEAL)